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Written Testimony of Christopher Phelps, Program Director  
Before the Connecticut General Assembly Environment Committee

Monday, March 8, 2010

Written testimony supporting Senate Bill 205, An Act Concerning Enhancements To The Inland  
Wetlands And Watercourses Act

Senator Meyer, Representative Roy, and members of the Committee:

Thank you for the opportunity to offer this testimony supporting Senate Bill 205. Environment Connecticut is a member-supported non-profit environmental advocacy organization. This bill would clarify Connecticut statute by including the statement that *"It is the public policy of the state to preserve and to prevent the despoliation and destruction of the inland wetlands and watercourses of the state."* (Line 43 of the bill.)

Unfortunately, this change to the existing statute is necessary due to inconsistent and conflicting court action on this question. It would be outrageous for the law of the state of Connecticut to suggest other than that the policy of the state is to protect our inland waters. We urge you to support this change to bring clarity to the statute and protections to our state's waters.

Additionally, this legislation (beginning in line 149) clarifies that inland wetlands agencies can rely upon evidence brought before them from many sources when considering an action. This is important due to suggestions by courts that the agencies may only rely upon expert witnesses. If this is not corrected, inland wetland agencies might only be able to consider evidence from biased paid "experts" hired by developers and not consider other important evidence.

Environment Connecticut urges you to approve SB 205 to ensure that the Inland Wetlands and Watercourses Act does what it's supposed to do – protect Connecticut's inland wetlands and watercourses.

Sincerely,

Christopher Phelps  
Program Director  
Environment Connecticut